



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

RECEIVED
FEDERAL ELECTION COMMISSION
MAR 20 2019

2019 MAR 20 AM 9:26

SENSITIVE

March 20, 2019

MEMORANDUM

TO: The Commission

THROUGH: Alec Palmer *AP*
Staff Director

FROM: Patricia C. Orrock *PCO*
Chief Compliance Officer

Debbie Chacona *DC*
Assistant Staff Director
Reports Analysis Division

BY: Kristin D. Roser *KDR*/Ben Holly *BH*
Reports Analysis Division
Compliance Branch

SUBJECT: Reason To Believe Recommendation - 2018 30 Day Post-General Report
(Unauthorized Filers) for the Administrative Fine Program

Attached is a list of political committees and their treasurers who failed to file or timely file the 2018 30 Day Post-General Report in accordance with 52 U.S.C. § 30104(a). The list is comprised of unauthorized committees that failed to file or timely file the 2018 30 Day Post-General Report.

The committees appearing on the 30 Day Post-General Report list either failed to file the report, filed the report within thirty (30) days of the due date (considered a late filed report), or filed the report more than thirty (30) days after the due date (considered a non-filed report). In accordance with 11 C.F.R. § 111.43, these committees should be assessed the civil money penalties indicated in the attachment.

In order to determine the level of activity for unauthorized quarterly filers that failed to file or failed to timely file the 30 Day Post-General Report, the Reports Analysis Division (RAD) used the following procedures and criteria:

- Every 30 Day Post-General Report (30 Day Report) submitted by an unauthorized quarterly filer that covered the period from October 1, 2018 through November 26, 2018 (57 days), was reviewed for activity which would have required the filing of a 12 Day Pre-General Report (12 Day Report). If our research indicated that the filing of a 12 Day Report was required, we utilized a two-step method to arrive at the estimated level of activity on which to base the fine amount. First, we took the sum of all itemized receipts and disbursements that should have been disclosed on a 12G. Second, if the committee had any unitemized activity, a per diem level of activity was used by multiplying the total amount of activity on the report by 29.82% (17 days (12G Filing Period)/57 days (30G Filing Period)).
- The committees identified through this process as failing to file or failing to timely file the 12 Day Report were included in the Reason to Believe Recommendation circulated to the Commission on March 13, 2019. If the same committee also failed to file the 30 Day Report in a timely manner, we based the 30 Day Report fine on the amount of the remaining level of activity. We arrived at this amount by subtracting the estimated level of activity for the 12 Day Report from the total amount of activity on the 30 Day Report. In these cases, the committees will also be assessed a fine for the 30 Day Report based on the estimated levels of activity described above and are included on the attached list.
- Every Year-End Report (YE) submitted by an unauthorized quarterly filer that covered the period from October 1, 2018 through December 31, 2018 (92 days) was reviewed for activity which would have required the filing of a 30G. If our research indicated that a 30G was required, we utilized a three-step method to arrive at the activity on which to base the 30G fine amount. First, we took the sum of all itemized receipts and disbursements that should have been disclosed on a 30G. Second, if the committee had any unitemized activity, a per diem level of this activity was calculated by multiplying the total amount of unitemized activity on the report by 61.96% (57 days (30G Filing Period)/92 days (YE Filing Period)). Third, we took the sum of the amounts calculated in steps one and two to arrive at the level of activity assigned to the 30G. If the same committee was required to file the 12 Day Report, but failed to file this report, we utilized a three-step method to arrive at the activity on which to base the 30G fine amount. First, we took the sum of all itemized receipts and disbursements that should have been disclosed on a 30G. Second, if the committee had any unitemized activity, a per diem level of this activity was calculated by multiplying the total amount of unitemized activity on the report by 43.48% (40 days (30G Filing Period)/92 days (YE Filing Period)). Third, we took the sum of the amounts calculated in steps one and two to arrive at the level of activity assigned to the 30G.

Recommendation

1. Find reason to believe that the political committees and their treasurers, in their official capacity, listed on the RTB Circulation Report violated 52 U.S.C. § 30104(a) and make a preliminary determination that the civil money penalties would be the amounts indicated on the RTB Circulation Report.
2. Send the appropriate letters.

3/19/2019 3:02 PM

Federal Election Commission
Reason to Believe Circulation Report
2018 POST-GENERAL Not Election Sensitive 12/06/2018 UNAUTH

AF#	Committee ID	Committee Name	Treasurer	Threshold	PV	Receipt Date	Days Late	LOA	RTB Penalty
-----	--------------	----------------	-----------	-----------	----	--------------	-----------	-----	-------------

3/19/2019 3:02 PM

AF#	Committee in	Committee Name	Treasurer	Threshold	PV	Receipt Date	Days Late	LOA	RTB Penalty
-----	-----------------	----------------	-----------	-----------	----	--------------	-----------	-----	-------------

3645	C00131706	PIPEFITTERS LOCAL UNION #524	PATRICK DOLAN	\$194,859	0		Not Filed	\$32,477 (est)	\$1,230
------	-----------	------------------------------	---------------	-----------	---	--	-----------	----------------	---------

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of

**Reason To Believe Recommendation - 2018
30 Day Post-General Report (Unauthorized
Filers) for the Administrative Fine Program:**

١٠٠

CONFIDENTIAL

Federal Election Commission
Certification for Administrative Fines
March 21, 2019

Page 2

PIPEFITTERS LOCAL UNION #524, and) AF# 3645
DOLAN, PATRICK as treasurer;)

CERTIFICATION

I, Dayna C. Brown, Secretary and Clerk of the Federal Election Commission, do hereby certify that on March 21, 2019 the Commission took the following actions on the Reason To Believe Recommendation - 2018 30 Day Post-General Report (Unauthorized Filers) for the Administrative Fine Program as recommended in the Reports Analysis Division's Memorandum dated March 20, 2019, on the following committees:

CONFIDENTIAL

1

Federal Election Commission
Certification for Administrative Fines
March 21, 2019

Page 5

UNCLASSIFIED

MEMORANDUM

MEMORANDUM

AF#3645 Decided by a vote of 4-0 to: (1) find reason to believe that PIPEFITTERS LOCAL UNION #524, and DOLAN, PATRICK in his official capacity as treasurer violated 52 U.S.C. 30104(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Hunter, Petersen, Walther, and Weintraub voted affirmatively for the decision.

Federal Election Commission
Certification for Administrative Fines
March 21, 2019

Page 8

1-800-435-7889

**Federal Election Commission
Certification for Administrative Fines
March 21, 2019**

Page 9

TROUBLESHOOTING

Attest:

March 21, 2019

Date

Dayna C. Brown

Dayna C. Brown
Secretary and Clerk of the Commission



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

March 21, 2019

Patrick Dolan, in official capacity as Treasurer
Pipefitters Local Union #524
711 Corey Street
Scranton, PA 18505

C00131706
AF#: 3645

Dear Mr. Dolan:

The Federal Election Campaign Act of 1971, as amended ("the Act"), requires that your committee file a 30 Day Post-General Report of Receipts and Disbursements in a calendar year in which a regularly scheduled general election is held. This report, covering the period October 1, 2018 through November 26, 2018 shall be filed no later than December 6, 2018. 52 U.S.C. § 30104(a). Because records at the Federal Election Commission ("FEC") indicate that you did not file this report within thirty (30) days of the due date, the report is considered not filed for the purpose of calculating the civil money penalty. You should file the report if you have not already done so.

The Act permits the FEC to impose civil money penalties for violations of the reporting requirements of 52 U.S.C. § 30104(a). 52 U.S.C. § 30109(a)(4). On March 21, 2019, the FEC found that there is reason to believe ("RTB") that Pipefitters Local Union #524 and you, in your official capacity as treasurer, violated 52 U.S.C. § 30104(a) by failing to file timely this report on or before December 6, 2018. Based on the FEC's schedules of civil money penalties at 11 CFR § 111.43, the amount of your civil money penalty calculated at the RTB stage is \$1,230. Please see the attached copy of the Commission's administrative fine regulations at 11 CFR §§ 111.30-111.55. Attachment 1. The Commission's website contains further information about how the administrative fine program works and how the fines are calculated. See <https://www.fec.gov/af/pay.shtml> 11 CFR § 111.34. Your payment of \$1,230 is due within forty (40) days of the finding, or by April 30, 2019, and is based on these factors:

Sensitivity of Report: Not Election Sensitive
Level of Activity: \$32,477
Number of Days Late: Not Filed
Number of Previous Civil Money Penalties Assessed: 0

At this juncture, the following courses of action are available to you:

1. If You Choose to Challenge the RTB Finding and/or Civil Money Penalty

If you should decide to challenge the RTB finding and/or calculated civil money penalty, you must submit a written response to the FEC's Office of Administrative Review, 1050 First Street, NE, Washington, DC 20002. Your response must include the AF# (found at the top of page 1 under your committee's identification number) and be received within forty (40) days of the Commission's RTB finding, or April 30, 2019. 11 CFR § 111.35(a). Your written response must include the reason(s) why you are challenging the RTB finding and/or calculated civil money penalty, and must include the factual basis supporting the reason(s) and supporting documentation. The FEC strongly encourages that documents be submitted in the form of affidavits or declarations. 11 CFR § 111.36(c).

The FEC will only consider challenges that are based on at least one of three grounds: (1) a factual error in the RTB finding; (2) miscalculation of the calculated civil money penalty by the FEC; or (3) your demonstrated use of best efforts to file in a timely manner when prevented from doing so by reasonably unforeseen circumstances that were beyond your control. 11 CFR § 111.35(b). In order for a challenge to be considered on the basis of best efforts, you must have filed the required report no later than 24 hours after the end of these reasonably unforeseen circumstances. *Id.* Examples of circumstances that will be considered reasonably unforeseen and beyond your control include, but are not limited to: (1) a failure of Commission computers or Commission-provided software despite your seeking technical assistance from Commission personnel and resources; (2) a widespread disruption of information transmissions over the Internet that is not caused by a failure of the Commission's or your computer systems or Internet service provider; and (3) severe weather or other disaster-related incident. 11 CFR § 111.35(c). Examples of circumstances that will not be considered reasonably unforeseen and beyond your control include, but are not limited to: (1) negligence; (2) delays caused by vendors or contractors; (3) treasurer and staff illness, inexperience or unavailability; (4) committee computer, software, or Internet service provider failures; (5) failure to know filing dates; and (6) failure to use filing software properly. 11 CFR § 111.35(d).

The "failure to raise an argument in a timely fashion during the administrative process shall be deemed a waiver" of your right to present such argument in a petition to the U.S. District Court under 52 U.S.C. § 30109. 11 CFR § 111.38.

If you intend to be represented by counsel, please advise the Office of Administrative Review. You should provide, in writing, the name, address and telephone number of your counsel and authorize counsel to receive notifications and communications relating to this challenge and imposition of the calculated civil money penalty.

2. If You Choose Not to Pay the Civil Money Penalty and Not to Submit a Challenge

If you do not pay the calculated civil money penalty and do not submit a written response, the FEC will assume that the preceding factual allegations are true and make a final determination that Pipefitters Local Union #524 and you, in your official capacity as treasurer, violated 52 U.S.C. § 30104(a) and assess a civil money penalty.

Unpaid civil money penalties assessed through the Administrative Fine regulations will be subject to the Debt Collection Act of 1982 ("DCA"), as amended by the Debt Collection Improvement Act of 1996, 31 U.S.C. § 3701 *et seq.* The FEC may take any and all appropriate

action authorized and required by the DCA, as amended, including transfer to the U.S. Department of the Treasury for collection. 11 CFR § 111.51(a)(2).

3. If You Choose to Pay the Civil Money Penalty

If you should decide to pay the calculated civil money penalty, follow the payment instructions on page 4 of this letter. Upon receipt of your payment, the FEC will send you a final determination letter.

NOTICE REGARDING PARTIAL PAYMENTS AND SETTLEMENT OFFERS

4. Partial Payments

If you make a payment in an amount less than the calculated civil money penalty, the amount of your partial payment will be credited towards the full civil money penalty that the Commission assesses upon making a final determination.

5. Settlement Offers

Any offer to settle or compromise a debt owed to the Commission, including making a payment in an amount less than the calculated civil money penalty assessed or any restrictive endorsements contained on your check or money order or proposed in correspondence transmitted with your check or money order, will be rejected. Acceptance and deposit or cashing of such a restricted payment does not constitute acceptance of the settlement offer. Payments containing restrictive endorsements will be deposited and treated as a partial payment towards the civil money penalty that the Commission assesses upon making a final determination. All unpaid civil money penalty amounts remaining will be subject to the debt collection procedures set forth in Section 2, above.

This matter was generated based on information ascertained by the FEC in the normal course of carrying out its supervisory responsibilities. 52 U.S.C. § 30109(a)(2). Unless you notify the FEC in writing that you wish the matter to be made public, it will remain confidential in accordance with 52 U.S.C. § 30109(a)(4)(B) and 30109(a)(12)(A) until it is placed on the public record at the conclusion of this matter in accordance with 11 CFR § 111.42.

As noted earlier, you may obtain additional information on the FEC's administrative fine program, including the final regulations, on the FEC's website at <https://www.fec.gov/af/pay.shtml>. If you have questions regarding the payment of the calculated civil money penalty, please contact Ben Holly in the Reports Analysis Division at our toll free number (800) 424-9530 (at the prompt press 5) or (202) 694-1130. If you have questions regarding the submission of a challenge, please contact the Office of Administrative Review at our toll free number (800) 424-9530 (press 0, then ext. 1158) or (202) 694-1158.

On behalf of the Commission,

Ellen L. Weintraub

Ellen L. Weintraub
Chair

ADMINISTRATIVE FINE REMITTANCE & PAYMENT INSTRUCTIONS

In accordance with the schedule of penalties at 11 CFR § 111.43, the amount of your civil money penalty calculated at RTB is \$1,230 for the 2018 Post-General Report.

You may remit payment by ACH withdrawal from your bank account, or by debit or credit card through Pay.gov, the federal government's secure portal for online collections. Visit www.fec.gov/af/pay.shtml to be directed to Pay.gov's Administrative Fine Program Payment form.

This penalty may also be paid by check or money order, made payable to the Federal Election Commission. It should be sent by mail to:

Federal Election Commission
P.O. Box 979058
St. Louis, MO 63197-9000

If you choose to send your payment by courier or overnight delivery, please send to:

U.S. Bank - Government Lockbox
FEC #979058
1005 Convention Plaza
Attn: Government Lockbox, SL-MO-C2GL
St. Louis, MO 63101

PAYMENTS BY PERSONAL CHECK

Personal checks will be converted into electronic funds transfers (EFTS). Your account will be electronically debited for the amount on your check, usually within 24 hours, and the debit will appear on your regular statement. We will destroy your original check and keep a copy of it. In case the EFT cannot be processed for technical reasons, you authorize us to process the copy in lieu of the original check. Should the EFT not be completed because of insufficient funds, we may try to make the transfer twice.

PLEASE DETACH AND RETURN THE PORTION BELOW WITH YOUR PAYMENT

FOR: Pipefitters Local Union #524

FEC ID#: C00131706

AF#: 3645

PAYMENT DUE DATE: April 30, 2019

PAYMENT AMOUNT DUE: \$1,230



UNITED ASSOCIATION

of Journeymen and Apprentices of the
Plumbing and Pipe Fitting Industry of
the United States and Canada

Founded 1889

UA Local Union:

Letters should
be confined to
one subject

Subject:

2019 APR 30 AM 10:22

Attachment 1

1 Page

Mark McManus
General President

Patrick H. Kellett
General Secretary-Treasurer

Michael A. Pleasant
Assistant General President

April 26, 2019

Federal Election Commission
Office of Administrative Review
1050 First Street, NE
Washington, D.C., 20002

RE: Patrick Dolan, in official capacity as Treasurer
Pipefitters Local Union #524
AF#: 3645

To whom it may concern,

I am writing to contest the civil penalty in the amount of \$1,230 imposed by the Federal Election Commission on March 21, 2019 for failing to file timely the 30 Day Post-General Report of Receipts and Disbursements.

On April 2, 2019 the Pipefitters Local Union #524 PAC Fund filed the following reports:

- 1) October Quarterly Report covering the period 7/1/2018 - 9/30/2018
- 2) 30 Day Post General Report covering the period 10/1/2018 - 11/26/2018
- 3) Year-End Report covering the period 11/27/2018 - 12/31/2018
- 4) Termination Report covering the period 1/1/2019 - 4/2/2019
- 5) F99 Miscellaneous Report explaining the reason for filing the termination report

All the reports listed above from number one to number three were filed with zeros as there were no contributions made to federal candidates. The Pipefitters Local Union #524 Political Committee Fund only makes contributions to state and local candidates not federal candidates. Therefore, Pipefitters Local Union #524 Political Committee Fund should not be filing reports with the Federal Election Commission.

The Pipefitters Local Union #524 Political Committee Fund should not have been registered to file FEC reports so we have filed a termination report.

I have attached a copy of the FEC confirmation for all the reports that were filed with the FEC on April 2, 2019 with the help of Caitlin and Andrea from the FEC.

Please update your records to avoid any future notices regarding any of the reports listed on this letter.

I declare under penalty and perjury that the foregoing is true and correct.

Sincerely,

Patrick Dolan
Treasurer



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

May 20, 2019

**REVIEWING OFFICER RECOMMENDATION
OFFICE OF ADMINISTRATIVE REVIEW ("OAR")**

AF# 3645 – Pipefitters Local Union #524 and Patrick Dolan, in his official capacity as Treasurer (C00131706)

Summary of Recommendation

Make a final determination that the respondents violated 52 U.S.C. § 30104(a) and assess no civil money penalty.

Reason-to-Believe Background

The 2018 Post-General Report was due on December 6, 2018. The respondents filed the report on April 2, 2019, 117 days late. The report is not election sensitive and was not filed within 30 days of the due date; therefore, the report is considered not filed. 11 C.F.R. §§ 111.43(d)(1) and (e)(1).

On March 21, 2019, the Commission found reason to believe ("RTB") that the respondents violated 52 U.S.C. § 30104(a) for failing to timely file the 2018 Post-General Report and made a preliminary determination that the civil money penalty was \$1,230 based on the schedule of penalties at 11 C.F.R. § 111.43. A letter was mailed to the respondents' address of record from the Reports Analysis Division ("RAD") on March 21, 2019 to notify them of the Commission's RTB finding and civil money penalty.

Legal Requirements

The Federal Election Campaign Act ("Act") states that the treasurer of a committee not authorized by a candidate shall file a post-general report covering through the 20th day after the election no later than 30 days after the election. 52 U.S.C. § 30104(a) and 11 C.F.R. § 104.5(c)(1)(iii). Reports electronically filed must be received and validated at or before 11:59 pm Eastern Standard/Daylight Time on the filing deadline to be timely filed. 11 C.F.R. §§ 100.19(c) and 104.5(e). The treasurer shall be personally responsible for the timely filing of reports. 11 C.F.R. § 104.14(d).

Summary of Respondents' Challenge

On April 30, 2019, the Commission received the written response ("challenge") from the Treasurer. The challenge states that the Committee filed multiple outstanding reports on April 2, 2019, including the 2018 Post-General Report and a Termination Report. The Treasurer further explains:

The Pipefitters Local Union #524 Political Committee Fund only makes contributions to state and local candidates not federal candidates. Therefore, Pipefitters Local Union #524 Political Committee Fund should not be filing reports with the Federal Election Commission. The Pipefitters Local Union #524 Political Committee Fund should not have been registered to file reports so we have filed a termination report.

Analysis

A committee's filing obligation ends only when the committee files a termination report, and the Commission notifies them in writing that their termination report has been accepted. 11 C.F.R. § 102.3; *Campaign Guide for Corporations and Labor Organizations*, 169. At the time of the RTB finding, the Committee had not yet filed a termination report with the Commission. Therefore, the respondents were required to timely file the 2018 Post-General Report. The Reviewing Officer recommends that the Commission make a final determination that the respondents violated 52 U.S.C. § 30104(a).

At the time of the RTB finding, the Commission used an estimated level of activity (\$32,477) to calculate the penalty because the 2018 Post-General Report had not yet been filed. 11 C.F.R. § 111.43(d)(2)(i). The 2018 Post-General Report filed April 2, 2019 discloses \$0 in total receipts and \$0 in total disbursements during the reporting period. Therefore, the actual level of activity for the 2018 Post-General reporting period is \$0. Using the schedule of penalties at 11 C.F.R. § 111.43(a), no civil money penalty should be assessed for a level of activity of \$0.

The Reviewing Officer recommends that the Commission make a final determination that the respondents violated 52 U.S.C. § 30104(a) and assess no civil money penalty.

OAR Recommendations

1. Adopt the Reviewing Officer recommendation for AF# 3645 involving Pipefitters Local Union #524 and Patrick Dolan, in his official capacity as Treasurer, in making the final determination;
2. Make a final determination in AF# 3645 that Pipefitters Local Union #524 and Patrick Dolan, in his official capacity as Treasurer, violated 52 U.S.C. § 30104(a) and assess no civil money penalty (reduced from the RTB civil money penalty of \$1,230); and
3. Send the appropriate letter.

Attachments

Attachment 1 –

Attachment 2 – Page 169 of *Campaign Guide for Corporations and Labor Organizations*

Attachment 3 – Declaration from RAD

Attachment 4 – Declaration from OAR

CHAPTER 12

Termination and debt settlement

This chapter discusses how SSFs can settle any outstanding debts and terminate their registration with the FEC. It also addresses the obligations that corporations that are commercial vendors have to political committees under the law, and the conditions under which they may settle debts with political committees.

1. Terminating the committee

An SSF may terminate its registration and reporting obligations by filing a termination report at any time, provided that:

- The committee no longer intends to receive contributions or make expenditures; and
- The committee has no outstanding debts or obligations. 102.3(a)(1) and 116.1(a).

SSFs with outstanding debts or obligations should see section 2 of this chapter, "Debt settlement."

Terminations are not accepted when a committee is involved in an FEC enforcement action (MUR), an FEC audit or litigation with the FEC.

Termination report

When filing the SSF's termination report, the treasurer must check the "Termination Report" box on Line 4(a) of the Summary Page of Form 3X. See example 12-1. The termination report must disclose:

- All receipts and disbursements not previously reported, including an accounting of debt retirement (see section 2 of this chapter); and
- The purposes for which any remaining SSF funds will be used. 102.3(a).

Committee no longer required to report once notified

The committee's reporting obligation ends when the Commission notifies the committee that the termination report has been accepted. Until the committee receives this notification, it must continue to file reports.

Disposal of remaining funds

The Commission has concluded that a political committee not authorized by a candidate may expend its funds for any lawful purpose consistent with the Act and Commission regulations. Therefore, an SSF may use its remaining funds for any otherwise legal disbursement, including turning them over to the connected organization's treasury, refunding them to the SSF's contributors or giving them to charity. See AOs 1986-32 (Sino American Coop PAC), 1983-04 (American Federation of Musicians) and 1979-42 (South Carolina National Bank PAC).

DECLARATION OF KRISTIN D. ROSER

1. I am the Chief of the Compliance Branch for the Reports Analysis Division of the Federal Election Commission ("Commission"). In my capacity as Chief of the Compliance Branch, I oversee the initial processing of the Administrative Fine Program. I make this declaration based on my personal knowledge and, if called upon as a witness, could and would testify competently to the following matters.
2. It is the practice of the Reports Analysis Division to document all calls to or from committees regarding a letter they receive or any questions relating to the FECFile software or administrative fine regulations, including due dates of reports and filing requirements.
3. I hereby certify that documents identified herein are true and accurate copies of the following sent by the Commission to Pipefitters Local Union #524:
 - A) Termination Denial Letter, dated May 14, 2019, referencing the Termination Report covering January 1, 2019 through April 2, 2019 (sent via regular mail to the address of record);
 - B) Non-Filer Letter, dated December 20, 2018, referencing the 2018 30 Day Post-General Report (sent via electronic mail to: jrobertson@saltercpa.com);
 - C) Reason-to-Believe Letter, dated March 21, 2019, referencing the 30 Day Post-General Report (sent via overnight mail to the address of record).
4. I hereby certify that I have searched the Commission's public records and find that Pipefitters Local Union #524 filed the 2018 30 Day Post-General Report with the Commission on April 2, 2019.
5. Pursuant to 28 U.S.C. 1746, I declare under penalty of perjury that the foregoing is true and correct and that all relevant telecoms for the matter have been provided. This declaration was executed at Washington, D.C. on the 15th day of May, 2019.

Ben Holly for KDR
Kristin D. Roser
Chief, Compliance Branch
Reports Analysis Division
Federal Election Commission



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

May 14, 2019

Patrick Dolan, Treasurer
711 Corey Street
Scranton, PA 18505

Dear Treasurer:

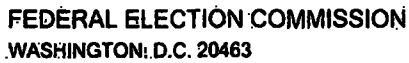
On April 2, 2019, you filed a report requesting that the Federal Election Commission permit Pipefitters Local Union #524 (C00131706) to terminate pursuant to 52 U.S.C. § 30103(d) and 11 CFR § 102.3 of the Commission's Regulations. Because of an administrative fines matter involving your committee, your termination request has been denied.

Your committee must continue to file all required reports with the Commission. You will be notified when your request to terminate has been granted and your committee is no longer required to file reports with the Commission. If you have any questions regarding this matter, please do not hesitate to contact Jamie Sikorsky on our toll free number at (800) 424-9530. Her local number is (202) 694-1137.

Sincerely,

Debbie Chacona

Debbie Chacona
Assistant Staff Director
Reports Analysis Division



December 20, 2018

If you have any questions regarding this matter, please contact Christopher Ritchie in the Reports Analysis Division on our toll-free number (800)424-9530. The analyst's direct number is (202)694-1146.

PIPEFITTERS LOCAL UNION #524

Page 2 of 2

Sincerely,

Debbie Chacona

Deborah Chacona
Assistant Staff Director
Reports Analysis Division

250

1-800-NINETY-ONE

DECLARATION OF RHIANNON MAGRUDER

- 1) I am the Reviewing Officer in the Office of Administrative Review for the Federal Election Commission ("Commission"). In my capacity as Reviewing Officer, I conduct research with respect to all challenges submitted in accordance with the Administrative Fine program.
- 2) A committee not authorized by a candidate shall file a post-general report covering through the 20th day after the election no later than 30 days after the election.. Reports filed electronically must be received and validated at or before 11:59 pm, Eastern Standard/Daylight Time on December 6, 2018 for the 2018 Post-General Report to be timely filed.
- 3) I hereby certify that I have searched the Commission's public records and that the documents identified herein are the true and accurate copies of:
 - a) Cover Page, Summary Page, and Detailed Summary Pages of the 2018 Post-General Report filed by Pipefitters Local Union #524 and Patrick Dolan, in his official capacity as Treasurer, and received on April 2, 2019.
- 4) Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct and that this declaration was executed at Washington, D.C. on the 20th day of May, 2019.

Rhiannon Magruder

Rhiannon Magruder
Reviewing Officer
Office of Administrative Review
Federal Election Commission

**FEC
FORM 3X****REPORT OF RECEIPTS
AND DISBURSEMENTS**
For Other Than An Authorized Committee

Office Use Only

1. NAME OF
COMMITTEE (in full)

TYPE OR PRINT ▼

Example: If typing, type
over the lines.

12FE4M5

PIPEFITTERS LOCAL UNION #524

ADDRESS (number and street)

711 COREY STREET

Check if different
than previously
reported. (ACC)

SCRANTON

PA

18505

2. FEC IDENTIFICATION NUMBER ▼

CITY ▲

STATE ▲

ZIP CODE ▲

C C00131706

3. IS THIS
REPORTNEW
(N)

OR

AMENDED
(A)4. TYPE OF REPORT
(Choose One)

(a) Quarterly Reports:

- ☐ April 15
Quarterly Report (Q1)
- ☐ July 15
Quarterly Report (Q2)
- ☐ October 15
Quarterly Report (Q3)
- ☐ January 31
Year-End Report (YE)
- ☐ July 31 Mid-Year
Report (Non-election
Year Only) (MY)
- ☐ Termination Report
(TER)

(b) Monthly
Report
Due On:

- ☐ Feb 20 (M2) ☐ May 20 (M5) ☐ Aug 20 (M8) ☐ Nov 20 (M11)
(Non-Election Year Only)
- ☐ Mar 20 (M3) ☐ Jun 20 (M6) ☐ Sep 20 (M9) ☐ Dec 20 (M12)
(Non-Election Year Only)
- ☐ Apr 20 (M4) ☐ Jul 20 (M7) ☐ Oct 20 (M10) ☐ Jan 31 (YE)

(c) 12-Day
PRE-Election
Report for the:

- ☐ Primary (12P) ☐ General (12G) ☐ Runoff (12R)
- ☐ Convention (12C) ☐ Special (12S)

Election on

MM / DD / YYYY

In the
State of(d) 30-Day
POST-Election
Report for the:

- ☒ General (30G) ☐ Runoff (30R) ☐ Special (30S)

Election on

MM / DD / YYYY

In the
State of

5. Covering Period

MM / DD / YYYY

through

MM / DD / YYYY

I certify that I have examined this Report and to the best of my knowledge and belief it is true, correct and complete.

Dolan, Patrick, D.,

Type or Print Name of Treasurer

Signature of Treasurer

Dolan, Patrick, D.,

[Electronically Filed]

Date

MM / DD / YYYY

NOTE: Submission of false, erroneous, or incomplete information may subject the person signing this Report to the penalties of 52 U.S.C. § 30109.

Office
Use
Only**FEC FORM 3X**
Rev. 05/2016

SUMMARY PAGE OF RECEIPTS AND DISBURSEMENTS

FEC Form 3X (Rev. 05/2016)

Page 2

Write or Type Committee Name

PIPEFITTERS LOCAL UNION #524

Report Covering the Period:

From:

M	M	/	D	D	/	V	V	V	V
10			01			2018			

To:

M	M	/	D	D	/	V	V	V	V
11			26			2018			

	COLUMN A This Period	COLUMN B Calendar Year-to-Date
6. (a) Cash on Hand January 1, 2018		119901.68
(b) Cash on Hand at Beginning of Reporting Period.....	127440.06	
(c) Total Receipts (from Line 19)	0.00	56360.42
(d) Subtotal (add Lines 6(b) and 6(c) for Column A and Lines 6(a) and 6(c) for Column B)	127440.06	176262.10
7. Total Disbursements (from Line 31)	0.00	48822.04
8. Cash on Hand at Close of Reporting Period (subtract Line 7 from Line 6(d))	127440.06	127440.06
9. Debts and Obligations Owed TO the Committee (Itemize all on Schedule C and/or Schedule D)	0.00	
10. Debts and Obligations Owed BY the Committee (Itemize all on Schedule C and/or Schedule D)	0.00	



This committee has qualified as a multicandidate committee. (see FEC FORM 1M)

For further information contact:

Federal Election Commission
999 E Street, NW
Washington, DC 20463

Toll Free 800-424-9530
Local 202-694-1100

DETAILED SUMMARY PAGE of Receipts

FEC Form 3X (Rev. 05/2018)

Page 3

Write or Type Committee Name

PIPEFITTERS LOCAL UNION #524

Report Covering the Period:

From:

M	M	/	D	D	/	Y	Y	Y	Y
10			01			2018			

To:

M	M	/	D	D	/	Y	Y	Y	Y
11			26			2018			

I. Receipts
COLUMN A
Total This Period

COLUMN B
Calendar Year-to-Date
11. Contributions (other than loans) From:

(a) Individuals/Persons Other Than Political Committees

(i) Itemized (use Schedule A).....

0.00

56360.42

(ii) Unitemized.....

0.00

0.00

(iii) TOTAL (add

Lines 11(a)(i) and (ii).....▶

0.00

56360.42

(b) Political Party Committees.....

0.00

0.00

(c) Other Political Committees (such as PACs).....

0.00

0.00

(d) Total Contributions (add Lines 11(a)(iii), (b), and (c)) (Carry Totals to Line 33, page 5).....▶

0.00

56360.42

12. Transfers From Affiliated/Other Party Committees.....

0.00

0.00

13. All Loans Received.....

0.00

0.00

14. Loan Repayments Received.....

0.00

0.00

15. Offsets To Operating Expenditures (Refunds, Rebates, etc.)

(Carry Totals to Line 37, page 5).....

0.00

0.00

16. Refunds of Contributions Made to Federal Candidates and Other Political Committees.....

0.00

0.00

17. Other Federal Receipts

(Dividends, Interest, etc.).....

0.00

0.00

18. Transfers from Non-Federal and Levin Funds

(a) Non-Federal Account

(from Schedule H3).....

0.00

0.00

(b) Levin Funds (from Schedule H5).....

0.00

0.00

(c) Total Transfers (add 18(a) and 18(b))..

0.00

0.00

19. Total Receipts (add Lines 11(d),

12, 13, 14, 15, 16, 17, and 18(c)).....▶

0.00

56360.42

20. Total Federal Receipts

(subtract Line 18(c) from Line 19).....▶

0.00

56360.42

DETAILED SUMMARY PAGE of Disbursements

FEC Form 3X (Rev. 05/2016)

Page 4

II. Disbursements	COLUMN A Total This Period	COLUMN B Calendar Year-to-Date
21. Operating Expenditures:		
(a) Allocated Federal/Non-Federal Activity (from Schedule H4)		
(i) Federal Share	0.00	0.00
(ii) Non-Federal Share	0.00	0.00
(b) Other Federal Operating Expenditures	0.00	48822.04
(c) Total Operating Expenditures (add 21(a)(i), (a)(ii), and (b))	0.00	48822.04
22. Transfers to Affiliated/Other Party Committees	0.00	0.00
23. Contributions to Federal Candidates/Committees and Other Political Committees	0.00	0.00
24. Independent Expenditures (use Schedule E)	0.00	0.00
25. Coordinated Party Expenditures (52 U.S.C. § 30116(d)) (use Schedule F)	0.00	0.00
26. Loan Repayments Made	0.00	0.00
27. Loans Made	0.00	0.00
28. Refunds of Contributions To:		
(a) Individuals/Persons Other Than Political Committees	0.00	0.00
(b) Political Party Committees	0.00	0.00
(c) Other Political Committees (such as PACs)	0.00	0.00
(d) Total Contribution Refunds (add Lines 28(a), (b), and (c))	0.00	0.00
29. Other Disbursements (Including Non-Federal Donations)	0.00	0.00
30. Federal Election Activity (52 U.S.C. § 30101(20))		
(a) Allocated Federal Election Activity (from Schedule H6)		
(i) Federal Share	0.00	0.00
(ii) "Levin" Share	0.00	0.00
(b) Federal Election Activity Paid Entirely With Federal Funds	0.00	0.00
(c) Total Federal Election Activity (add Lines 30(a)(i), 30(a)(ii) and 30(b))	0.00	0.00
31. Total Disbursements (add Lines 21(c), 22, 23, 24, 25, 26, 27, 28(d), 29 and 30(c)) ..	0.00	48822.04
32. Total Federal Disbursements (subtract Line 21(a)(ii) and Line 30(a)(ii) from Line 31)	0.00	48822.04



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

May 22, 2019

Patrick Dolan, in official capacity as Treasurer
Pipefitters Local Union #524
711 Corey Street
Scranton, PA 18505

C00131706
AF#: 3645

Dear Mr. Dolan:

On March 21, 2019, the Federal Election Commission ("Commission") found reason to believe ("RTB") that Pipefitters Local Union #524 and you, in your official capacity as Treasurer ("respondents"), violated 52 U.S.C. § 30104(a) for failing to timely file the 2018 Post-General Report. The Commission also made a preliminary determination that the civil money penalty was \$1,230 based on the schedule of penalties at 11 C.F.R. § 111.43.

After reviewing your written response and any supplemental information submitted by you and Commission staff, the Reviewing Officer has recommended that the Commission make a final determination and assess no civil money penalty. A copy of the Reviewing Officer's recommendation is attached.

You may file with the Commission Secretary a written response to the recommendation within 10 days of the date of this letter. Your written response should be sent to the Commission Secretary, 1050 First Street, NE, Washington, DC 20463 or via facsimile (202-208-3333). Please include the AF # in your response. Your response may not raise any arguments not raised in your original written response or not directly responsive to the Reviewing Officer's recommendation. 11 C.F.R. § 111.36(f). The Commission will then make a final determination in this matter.

Please contact me at the toll free number 800-424-9530 (press 0, then press 1660) or 202-694-1158 if you have any questions.

Sincerely,

Rhiannon Magruder
Rhiannon Magruder
Reviewing Officer
Office of Administrative Review



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

RECEIVED
FEDERAL ELECTION COMMISSION

2019 MAY 28 AM 10: 54

SENSITIVE

May 28, 2019

MEMORANDUM

To: The Commission

Through: Alec Palmer *AP*
Staff Director

From: Patricia C. Orrock *PCO*
Chief Compliance Officer

Rhiannon Magruder *RM*
Reviewing Officer
Office of Administrative Review

Subject: Final Determination Recommendation in AF# 3645 – Pipefitters Local Union #524 and Patrick Dolan, in his official capacity as Treasurer (C00131706)

On March 21, 2019, the Commission found reason to believe ("RTB") that the respondents violated 52 U.S.C. § 30104(a) for failing to timely file the 2018 Post-General Report and made a preliminary determination that the civil money penalty was \$1,230 based on the schedule of penalties at 11 C.F.R. § 111.43.

On April 30, 2019, the Commission received their written response ("challenge"). After reviewing the challenge, the Reviewing Officer Recommendation ("ROR") dated May 20, 2019 was forwarded to the Commission, a copy was forwarded to the respondents, and is hereby incorporated by reference. The Reviewing Officer recommended that the Commission make a final determination that the respondents violated 52 U.S.C. § 30104(a) and assess no civil money penalty.

Within 10 days of transmittal of the recommendation, the respondents may file a written response with the Commission Secretary which may not raise any arguments not raised in their challenge or not directly responsive to the ROR. 11 C.F.R. § 111.36(f). The respondents have indicated they will not be submitting a response.

OAR Recommendations

1. Adopt the Reviewing Officer recommendation for AF# 3645 involving Pipefitters Local Union #524 and Patrick Dolan, in his official capacity as Treasurer, in making the final determination;
2. Make a final determination in AF# 3645 that Pipefitters Local Union #524 and Patrick Dolan, in his official capacity as Treasurer, violated 52 U.S.C. § 30104(a) and assess no civil money penalty (reduced from the RTB civil money penalty of \$1,230); and
3. Send the appropriate letter.

20180919 10:00:00

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
) AF 3645
Final Determination Recommendation:)
Pipefitters Local Union #524 and Patrick)
Dolan, in his official capacity as)
Treasurer (C00131706))

CERTIFICATION

I, Dayna C. Brown, Secretary and Clerk of the Federal Election
Commission, do hereby certify that on June 06, 2019, the Commission decided
by a vote of 4-0 to take the following actions in AF 3645:

1. Adopt the Reviewing Officer recommendation for AF# 3645
involving Pipefitters Local Union #524 and Patrick Dolan, in his
official capacity as Treasurer, in making the final determination.
2. Make a final determination in AF# 3645 that Pipefitters Local
Union #524 and Patrick Dolan, in his official capacity as Treasurer,
violated 52 U.S.C. § 30104(a) and assess no civil money penalty
(reduced from the RTB civil money penalty of \$1,230).
3. Send the appropriate letter.

Commissioners Hunter, Petersen, Walther, and Weintraub voted
affirmatively for the decision.

Attest:

June 7, 2019
Date

Dayna C. Brown
Dayna C. Brown
Secretary and Clerk of the Commission



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

June 11, 2019

Patrick Dolan, in official capacity as Treasurer
Pipefitters Local Union #524
711 Corey Street
Scranton, PA 18505

C00131706
AF#: 3645

Dear Mr. Dolan:

On March 21, 2019, the Federal Election Commission ("the Commission") found reason to believe ("RTB") that Pipefitters Local Union #524 and you, in your official capacity as Treasurer, violated 52 U.S.C. § 30104(a) for failing to file the 2018 Post-General Report. By letter dated March 21, 2019, the Commission sent notification of the RTB finding that included a civil money penalty calculated at RTB of \$1,230 in accordance with the schedule of penalties at 11 C.F.R. § 111.43. On April 30, 2019, the Office of Administrative Review received your written response challenging the RTB finding.

The Reviewing Officer reviewed the Commission's RTB finding with its supporting documentation and your written response. The Reviewing Officer recommended that the Commission make a final determination that the respondents violated 52 U.S.C. § 30104(a) and assess no civil money penalty based on the actual level of activity disclosed on the report. The Reviewing Officer Recommendation was sent to you on May 20, 2019.

On June 6, 2019, the Commission adopted the Reviewing Officer's final determination recommendation and made a final determination that Pipefitters Local Union #524 and you, in your official capacity as Treasurer, violated 52 U.S.C. § 30104(a), and based on the level of activity disclosed on the 2018 Post-General Report (\$0), assessed no civil money penalty (reduced from the RTB civil money penalty of \$1,230). It is based on the same factors used to calculate the civil money penalty at RTB except that the actual rather than the estimated level of activity was used. A copy of the Final Determination Recommendation is attached.

The confidentiality provisions at 52 U.S.C. § 30109(a)(12) no longer apply and this matter is now public. Pursuant to 11 C.F.R. §§ 111.42(b) and 111.20(c), the file will be placed on the public record within 30 days from the date of this notification.

If you have any questions regarding this matter, please contact Rhiannon Magruder on our toll free number (800) 424-9530 (press 0, then ext. 1660) or (202) 694-1660.

On behalf of the Commission,

Ellen L. Weintraub

Ellen L. Weintraub
Chair

Attachment

